

**THE MINUTES OF THE HOUSE STANDING COMMITTEE  
ON  
GOVERNMENT OPERATIONS**

**Tuesday, September 12, 2006**

**10:00 a.m.**

**Room 326 House Office Building**

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The House Standing Committee on Government Operations was called to order by **Representative Jack Hoogendyk**, Vice-Chair.

**MEMBERS PRESENT:** Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey.

**MEMBERS ABSENT/EXCUSED:** Representative Lemmons, III.

**Chairman Drolet** assumed the chair at 10:15 a.m.

**Chairman Drolet** opened the floor for discussion of the Auditor General's Report #50-510-05.

**TESTIMONY**

**Steve Baker**, Audit Division Administrator, Office of the Auditor General, testified. Questions and discussion followed.

**Melissa Schuiling**, Audit Division Manager, Office of the Auditor General, testified. Questions and discussion followed.

**Chairman Drolet** laid **HB 6363** and **HB 6364** before the committee:

HB 6363	Hummel	Law enforcement; other; confiscation of lawfully possessed firearms when a state of emergency is declared; prohibit under certain circumstances.
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HB 6364	Hummel	Weapons; firearms; confiscation of lawfully possessed firearms when a state of emergency is declared; amend the governor's emergency powers act to prohibit.
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**TESTIMONY**

**Representative Hummel**, sponsor of HB 6363 and HB 6364, explained his bills to the committee.

**Wayne Groth**, representing Great Lakes Shooting Sports, testified in support of the bills.

**Davin Goens**, representing the National Rifle Association (NRA), submitted a card in support of the bills and did not indicate he wished to speak.

**Representative Gosselin** moved to adopt the substitute **(H-2)** to **HB 6363**. The motion was supported by **Representative Garfield**.

The motion prevailed by a vote of **7-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey,

Nays: None,

Pass: None.

**Representative Tobocman** moved to report **HB 6363** with recommendation, as substitute **(H-2)**. The motion was supported by **Representative Gosselin**.

The motion prevailed by a vote of **7-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey,

Nays: None,

Pass: None.

**Representative Garfield** moved to adopt the substitute **(H-2)** to **HB 6364**. The motion was supported by **Representative Tobocman**.

The motion prevailed by a vote of **7-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey,

Nays: None,

Pass: None.

**Representative Gosselin** moved to report **HB 6364** with recommendation, as substitute **(H-2)**. The motion was supported by **Representative Sheen**.

The motion prevailed by a vote of **7-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey,

Nays: None,

Pass: None.

**Chairman Drolet** laid **HB 6410** before the committee:

HB 6410    Schuitmaker            Crimes; other; Michigan fireworks safety act; enact.

**TESTIMONY**

**Representative Schuitmaker**, sponsor of HB 6410, explained her bill to the committee.

**Representative Hildenbrand**, representing the 86<sup>th</sup> District, testified in support of the bill.

**Eric Turner**, representing the United States Fireworks Safety Commission, testified in support of the bill.

**Aaron Enzer**, representing the Michigan Pyrotechnics Arts Guild, testified in support of the bill.

**Andy Neumann**, State Fire Marshal, representing the Bureau of Fire Services, testified in support of the bill.

**Bill Nelson** and **Dave Purchase**, representing the Michigan Association of Fire Chiefs, testified in opposition to the bill.

**Jon Ichesco**, representing the Michigan Fire Inspectors Society, testified in opposition to the bill.

**Andy Webb**, representing the Captain Boom Fireworks, LLC, testified in support of the bill.

The following people were not able to speak due to time constraints:

**Joseph Tuckey**, representing the City of Tecumseh, submitted a card in opposition to the bill.

**Mike Bisco**, representing himself, submitted a card in support of the bill.

**James Stajos**, representing the American Eagle Superstore, Inc., submitted a card in support of the bill.

**Pat Gallagher**, representing the American Eagle Superstore Inc., submitted a card in support of the bill.

**Melissa Bourke**, representing the Michigan Fire Service Coalition, submitted a card in opposition to the bill and did not wish to speak.

**Tom Martin**, representing the Michigan Department of Labor and Economic Growth (DLEG), submitted a card in opposition to the bill and did not wish to speak.

**Representative Gosselin** moved to adopt the substitute **(H-1)** to **HB 6410**. The motion was supported by **Representative Garfield**.

The motion prevailed by a vote of **8-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey,

Nays: None,

Pass: None.

**Representative Gosselin** offered the following amendment to **HB 6410 (H-1)**:

1. Amend page 9, line 17, after “Sec.” by striking out “2” and inserting “3”.

**Representative Gosselin** moved to adopt the amendment. The motion was supported by **Representative Hoogendyk**.

The motion prevailed by a vote of **8-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey,  
Nays: None,  
Pass: None.

**Representative Hoogendyk** moved to report **HB 6410** with recommendation, as substitute (**H-2**). The motion was supported by **Representative Garfield**.

The motion prevailed by a vote of **6-1-1**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons,  
Nays: Representative Lipsey,  
Pass: Representative Tobocman.

**Chairman Drolet** laid **HB 6411** before the committee:

HB 6411	Elsenheimer	Crimes; explosives; duty of hospital personnel and other health providers to report fireworks or pyrotechnics injuries; create.
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**Representative Gosselin** moved to report **HB 6411** with recommendation. The motion was supported by **Representative Garfield**.

The motion prevailed by a vote of **6-0-2**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons,  
Nays: None,  
Pass: Representatives Tobocman and Lipsey.

**Chairman Drolet** laid **HB 6412** before the committee:

HB 6412	Caswell	Criminal procedure; sentencing guidelines; sentencing guidelines for fireworks violations; enact.
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**Representative Gosselin** moved to report **HB 6412** with recommendation. The motion was supported by **Representative Garfield**.

The motion prevailed by a vote of **6-1-1**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons,  
Nays: Representative Lipsey,  
Pass: Representative Tobocman.

**Chairman Drolet** laid **HB 6413** before the committee:

HB 6413    Shaffer                      Crimes; other; fireworks law; eliminate from penal code.

**Representative Sheen** moved to report **HB 6413** with recommendation. The motion was supported by **Representative Hoogendyk**.

The motion prevailed by a vote of **6-1-1**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons,  
Nays: Representative Lipsey,  
Pass: Representative Tobocman.

**Chairman Drolet** laid **HB 6414** before the committee:

HB 6414            Hildenbrand    Crimes; penalties; penalties for use of illegal fireworks that cause property damage or injury; enhance.

**Representative Hoogendyk** moved to report **HB 6414** with recommendation. The motion was supported by **Representative Garfield**.

The motion prevailed by a vote of **6-0-2**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons,  
Nays: None,  
Pass: Representative Tobocman and Lipsey.

**Chairman Drolet** laid **HB 6415** before the committee:

HB 6415    Hildenbrand              Criminal procedure; sentencing guidelines; sentencing guidelines for fireworks violations; provide.

**Representative Hoogendyk** moved to report **HB 6415** with recommendation. The motion was supported by **Representative Sheen**.

The motion prevailed by a vote of **6-0-2**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons,  
Nays: None,  
Pass: Representative Tobocman and Lipsey.

The committee returned to the consideration of the Auditor General's Report #50-510-05.

### **TESTIMONY**

**Sean Carlson**, representing the Michigan Department of Management and Budget (DMB), testified. Questions and discussion followed.

**Ken Theis**, representing the Michigan Department of Information Technology (DIT), testified. Questions and discussion followed.

**Representative Lipsey** moved to excuse Representative Lemmons, III from the committee. The motion was supported by **Representative Emmons**. There being no objection, the motion prevailed by unanimous consent.

**Representative Tobocman** moved to adopt the minutes of the **September 5, 2006** meeting. The motion was supported by **Representative Hoogendyk**. There being no objection, the motion prevailed by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 12:04 p.m.

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**Representative Leon Drolet, Chair**  
**House Standing Committee on Government Operations**  
Malika Abdur-Rashid  
Committee Clerk  
517-373-7256  
2 Hour and 4 Minutes